

Report Date: April 20, 2016

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**Apr 20, 2016**

SEAN F. McAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Richard Allen Counts Case Number: 0980 2:07CR02066-LRS-1

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: January 17, 2008

Original Offense: Distribution of a Controlled Substance, 21 U.S.C. § 841(a)(1)

Original Sentence: Prison 100 months;  
TSR - 48 months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Thomas J. Hanlon Date Supervision Commenced: January 25, 2016

Defense Attorney: Federal Defenders Office Date Supervision Expires: January 24, 2019

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**PETITIONING THE COURT****To issue a warrant.**

The probation officer believes the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p><b><u>Mandatory Condition # 4:</u></b> The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.</p> <p><b><u>Supporting Evidence:</u></b> Mr. Counts disclosed he used methamphetamine on April 12, 11, and March 29, 2016.</p>
2	<p><b><u>Standard Condition # 3:</u></b> The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.</p> <p><b><u>Supporting Evidence:</u></b> On March 21, 2016, this officer met with Mr. Counts who confirmed his girlfriend had been arrested for possession of illegal drugs. He agreed he would no longer spend the night at her house until she could confirm her involvement in a treatment program. He agreed he would spend the night at his grandmother's home, reducing the potential risk for his own drug use. Since that date, the offender has continued to spend the night at his girlfriend's home and there is no indication she is involved in a treatment program. The offender has admitted to illegal drug use.</p>

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3                   **Standard Condition # 3:** The defendant shall answer truthfully to all inquiries by the probation officer and follow the instructions of the probation officer.

**Supporting Evidence:** On March 30, 2016, U.S. probation officer (USPO) Casey met with Mr. Counts in the U.S. Probation Office. The defendant was directed to discontinue his relationship with Ms. Worrell and to spend the night at his grandmother's home.

On April 19, 2016, a Zillah police officer conducted a traffic stop. The driver was identified as Rashel Worrell, the defendant's girlfriend. Richard Counts, III was a passenger in the vehicle. Ms. Worrell was taken into custody on an outstanding warrant and Mr. Counts was allowed to drive her vehicle from the area.

4                   **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

**Supporting Evidence:** On April 14, 2016, USPO Casey met with Mr. Counts and the treatment provider at the office of Merit Resource Services. After the session, Mr. Counts was directed to report to the U.S. Probation Office on April 18, 2016, at 11 a.m. and was provided with a card confirming the appointment. The offender failed to report to the U.S. Probation Office as directed.

5                   **Special Condition # 18:** Defendant shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. Defendant shall contribute to the cost of treatment according to defendant's ability to pay. Defendant shall allow full disclosure between the supervising officer and treatment provider.

**Supporting Evidence:** Mr. Counts missed his substance abuse treatment sessions on February 11, and March 15, 2016.

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The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the offender to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: April 20, 2016

s/Stephen Krous

Stephen Krous  
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action  
☒ The Issuance of a Warrant  
☐ The Issuance of a Summons  
☐ Other



Signature of Judicial Officer

4/20/2016

Date

